

Rt. 12, Frederick, Md. 21701
4/29/76

Congressman John Conyers
House of Representatives
Washington, D.C.

Dear Congressman Conyers,

several
I have neither forgotten nor neglected your interest of ^{several} months ago in my unpublished book, *The Unimpeachment of Richard Nixon*, and the potential of some of its content. It has been possible to initiate what you had in mind without adding to the already considerable load you and your office staff carry.

A friend who has an association with a man of means who also has an interest has arranged for the copying and a preliminary reading. It turns out that the unread manuscript is considerably longer than I had realized.

Meanwhile, I have kept at my new book on the ^{King} assassination and the FOIA suits, including for the still-suppressed evidence. The draft of the book is about a third short of completion. And we are next in court on this case, C.A.75-1996, this coming Wednesday, the fifth, when there is a calendar call.

I feel it may be less than a formality. If I can see to it that this hearing has some meaning I intend to. All the Justice divisions are stonealling, with the FBI the spearhead. The little with which they have parted since what you saw is a very cruel joke. They are claiming to have no more. Because they have done this under oath it is necessary for me to counter this under oath. I am preparing a long statement that Jim Lesar will rephrase to suit our legal needs as he sees them. The FBI is claiming not even to have a single picture of the scene of the crime! At some point, perhaps not now, I think it might be helpful if the Justice people felt some pressures.

Clarence Kelley does already, but not enough. He lost his cool on *Black Perspectives on the News* under Les Payne's superb questioning. Kelley also made a couple of significant admissions then.

I believe that you are aware that Les and I are friends and working together. We have established that there were police and FBI provocateurs in the Invaders who caused the Memphis violence that forced Dr. King to return there. We have been working on this, most recently last month when we were in Memphis. There is a reasonable prospect of carrying this forward. Meanwhile, although Justice has confirmed the penetration to Les it has yet to provide the first record under my FOIA suit.

Kelley left no doubt under Les' questioning that they are reacting strongly to my suit. In fact, he was explicit on this and the total absence of anything except what he called "circumstantial evidence." I am certain that the initial cause of Levi's third announced "investigation" is this suit and that it and its potential are also the reason for the long delay in the Civil Rights Division's report to Levi. I am making their planned new whitewash more hazardous. I believe they fear what the judge in this case may do, about their non-compliance and about our efforts to depose. We can, I am confident, accomplish much by depositions. Even though we have already forced the early retirements of the key agents.

One factor that may encourage Justice and the FBI to continue withholding and to swear falsely about what they have, with the risks of swearing falsely, is the total absence of any journalistic or black interest in this case. There has not been a single reporter or a single black at any of the prior calendar calls.

Les was not in his office this morning or yesterday. The day before that he phoned me from Boston, where he was doing a status piece on that situation. I am trying to reach him to see if he can generate his paper's interest in having him at the coming calendar call. It would be good if some of the incredibly bad things the government is doing in this case could be reported.

There is, aside from general interest, a pretty good chance that what the government will claim and may have to admit can be newsworthy. I don't think this will be the usual status call because there has not been any compliance with what Judge June Green ordered and what we forced the government to promise, with performance due this past Monday.

We will, for example, report that they still insist that in the second largest FBI investigation in history they still insist they have no single picture of the scene of the crime. I will be preparing an affidavit describing some of those pictures I know the FBI has. We will also report that, unless they are delivered before this hearing, in more than a month the FBI has not provided copies of other pictures I am entitled to and have asked for under FOIA after seeing them at the FBI. And that despite the FBI's filing of a conspiracy charge in Birmingham they insist they have not a single relevant piece of paper. They are even refusing to search the files of the Birmingham office. With other probable developments I think this formality in court may produce some news. I do hope it will be possible for there to be some body demonstration of news interest. Whether or not stories are published, I think the effect on the government of reporters in the courtroom would be good. While the judge has been a model of fairness the government's behavior has been quite bad. The Assistant United States Attorney has bad-mouthed her to Jim and me outside of court. They are really uptight about this suit. The fear of exposure and public attention might persuade them to disclose more of the evidence they continue to suppress.

If you would like a further update Jim and I will be happy to provide it after the hearing. His number at is 484-6023. Mine is 301/473-8186. If we do not hear from you when there is something I think you should know we'll get it to you.

Sincerely,

Harold Weisberg